

ORDINANCE NO. 3822

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING PROVISIONS OF ECDC 20.35.080(A)(4) AND 20.35.050(C)(2) RELATING TO PLANNED RESIDENTIAL DEVELOPMENTS TO ALLOW CLOSED RECORD ADMINISTRATIVE APPEAL OF PRELIMINARY PRD DECISION AND TO ELIMINATE OVERLAP OF PERIMETER BUFFERS AND SETBACKS FOR EXTERIOR LOT LINES, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, preliminary planned residential development (PRD) decisions are issued by the Hearing Examiner upon recommendation by the Architectural Design Board on site and building designs; and

WHEREAS, the City Council wishes to afford the opportunity for closed record appeals on preliminary PRD decisions issued by the hearing examiner; and

WHEREAS, the City Council wishes to eliminate ambiguity on whether setbacks for exterior lot lines and perimeter buffers can overlap; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Subsection 20.35.080(A)(4) of the Edmonds Community

Development Code is hereby amended to read as follows:

4. The Public Hearing with the Hearing Examiner. The hearing examiner shall review the proposed PRD for compliance with this section as a Type III-B decision.

If, after all appeals are exhausted, the proposal is denied, a similar plan for the site may not be submitted to the development services department for one year. A new plan which varies substantially from the denied proposal, as determined by the development services director, or one

that satisfies the objections stated by the final decision-maker may be submitted at any time.

An applicant who intends to subdivide the land for sale as part of the project shall obtain subdivision approval in accordance with Chapter 20.75 ECDC before any building permit or authorization to begin construction is issued, and before sale of any portion of the property. The preferred method is for the applicant to process the subdivision application concurrently with the planned residential development proposal.

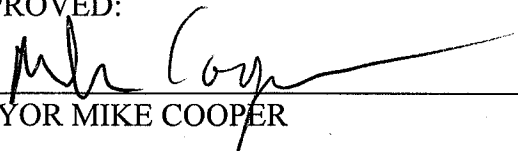
Section 2. Subsection 20.35.050(C)(2) of the Edmonds Community

Development Code is hereby amended to read as follows:

2. In addition to the setback required by the underlying zone [See ECDC 20.35.040(B)], provide a landscape buffer, open space or passive use recreational area (hereafter "buffer"). The depth of the buffer shall be at least equal to the depth of the rear yard setback applicable to the zone; provided that, where the exterior lot line abuts a public way, the buffer shall be at least equal to the depth of the front yard setback required by the zone. The depth of the buffer shall be measured perpendicular to the boundary of the exterior property line setback. If such a buffer is provided, interior setbacks may be flexible and determined in accord with ECDC 20.35.030.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:


MAYOR MIKE COOPER

ATTEST/AUTHENTICATED:


CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY


W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	11-19-2010
PASSED BY THE CITY COUNCIL:	11-30-2010
PUBLISHED:	12-05-2010
EFFECTIVE DATE:	12-10-2010
ORDINANCE NO. <u>3822</u>	

SUMMARY OF ORDINANCE NO. 3822

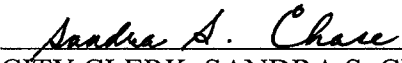
of the City of Edmonds, Washington

On the 30th day of November, 2010, the City Council of the City of Edmonds, passed Ordinance No. 3822. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING PROVISIONS OF ECDC 20.35.080(A)(4) AND 20.35.050(C)(2) RELATING TO PLANNED RESIDENTIAL DEVELOPMENTS TO ALLOW CLOSED RECORD ADMINISTRATIVE APPEAL OF PRELIMINARY PRD DECISION AND TO ELIMINATE OVERLAP OF PERIMETER BUFFERS AND SETBACKS FOR EXTERIOR LOT LINES, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 1st day of December, 2010.



CITY CLERK, SANDRA S. CHASE

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.



SUMMARY OF ORDINANCE NO. 3822 of the City of Edmonds, Washington

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The full text of this Ordinance will be mailed upon request.
DATED this 1st day of December, 2010.

CITY CLERK, SANDRA S. CHASE

Published: December 5, 2010.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance NO. 3822

Amending Provisions of ECDC 20.34.080(A)(4) and 20.35.050(C)(2)

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

December 05, 2010

and that said newspaper was regularly distributed to its subscribers during all of said period.

Jody Skell

Principal Clerk

Subscribed and sworn to before me this

6th

day of December, 2010

Bonnie S. Helene

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

RECEIVED

DEC 10 2010

EDMONDS CITY CLERK